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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,222	12/21/2001	Jin Hee Jung	8733.445.00	3350
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MCKENNA LONG & ALDRIDGE LLP			EXAMINER	
1900 K STREET, NW			FINEMAN, LEE A	
WASHINGTON, DC 20006				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

PH

**Office Action Summary**

Application No.

10/024,222

Applicant(s)

JUNG, JIN HEE

Examiner

Lee Fineman

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 52-55, 57 and 59-62 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 52-55, 57 and 59-62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This Office Action is in response to an amendment filed 6 September 2007 in which claim 52 was amended. Claims 52-55, 57 and 59-62 are pending.

#### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 52-55, 59-60, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiguchi, US 6,368,760 B1 in view of Moseley et al., US 6,046, 849.

Regarding claim 52, Nishiguchi discloses a method for fabricating a stereoscopic display device, comprising: preparing a display panel (fig. 2) having first and second pixels for displaying left-eye and right-eye image information, respectively (see at least column 5, lines 31-37); and forming a polarizer (24a) on the display panel (fig. 2); forming a transparent substrate (21a); forming a retardation layer (25) on the transparent substrate (21a) without an alignment layer between the retardation layer and the transparent substrate (fig. 2); forming first and second polarizing cell areas (25a and 25b) in the retardation layer corresponding to the first and second pixels over the display panel (see at least column 5, lines 31-37) by a single light irradiation through a mask (61, figs. 6A-6C); and, mounting the retardation layer on the transparent substrate to the display panel (fig. 2). Nishiguchi discloses the claimed invention except for forming an adhesive layer between the polarizer and the transparent substrate; and the retardation

layer including a chiral dopant with a predetermined pitch. Nishiguchi further discloses that the retardation layer can be made from liquid crystal material (see at least column 9, lines 24-37) and Moseley et al. teach a stereoscopic display apparatus (figs. 10-11) comprising a liquid crystal display panel (1), a polarizer (21) and a patterned retarder material (67 in 20 see figs. 17 and 18) wherein the retardation layer (67) is a liquid crystal material containing a chiral dopant with a predetermined pitch for enabling light modulation (column 18, lines 1-7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the liquid crystal retarder material of Nishiguchi include a chiral dopant with a predetermined pitch as taught by Moseley et al. to provide a specific continuous rotation direction in the retarder (column 18, lines 4-6, Moseley). Moseley et al. further teach that adhesives are a well known material for bonding elements like polarizers in a display device (see column 22, lines 55-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to bond the polarizer to the transparent substrate with an adhesive (i.e., form an adhesive layer between the polarizer and the transparent substrate) as taught by Moseley et al. to be able to permanently affix the elements together when matched up/aligned appropriately.

Regarding claim 53, Nishiguchi further discloses polymerizing the retardation layer by irradiating a light (column 15, lines 5-27).

Regarding claim 54, Nishiguchi further discloses wherein the display panel is a liquid crystal display (LCD) panel (column 16, line 67).

Regarding claim 55, Nishiguchi further discloses wherein the polarizer integrally formed with the retardation layer (fig. 2).

Regarding claims 59 and 60, Nishiguchi further discloses wherein the first and second polarizing cell areas are arranged in alternating lines (fig. 6C) or in a checkered pattern (fig. 3).

Regarding claim 62, Nishiguchi further discloses wherein forming the retardation layer having first and second polarizing cell areas does not include removing a portion of the retardation layer (see figs. 6A-6C).

3. Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiguchi in view of Moseley et al. as applied to claim 52 above and further in view of Deanne et al., US 6,627,305 B1.

Nishiguchi in view of Moseley et al. as applied to claim 52 above disclose the claimed invention except for explicitly stating that the transparent substrate is made from a solvent-proof polymer. Solvent proof polymers such as polyimide are well known in the art for use as substrates in liquid crystal systems as evidenced by Deanne (column 1, lines 38-39). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a well-known solvent proof polymer such as polyimide disclosed by Deanne et al. as the material for the transparent substrate of Nishiguchi in view of Moseley et al. to reduce the weight of the system (Deanne, column 1, lines 37-38).

4. Claim 61 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiguchi in view of Moseley et al. as applied to claim 53 above and further in view of Franklin et al., EP 0 477 882 A2.

Nishiguchi in view of Moseley et al. as applied to claim 53 above disclose the claimed invention except for wherein the retardation layer is covered with a protecting polymer. Franklin et al. discloses a polarizer stereoscopic display apparatus (fig. 1 and fig. 8a) comprising a liquid crystal display panel (12); a polarizer (column 2, lines 8-10 and fig. 8a); and a patterned retarder (22) wherein the patterned retarder is covered with a protecting polymer (column 4, lines 22-24 and fig. 8a). It would have been obvious to one of ordinary skill in the art at the time the invention was made to add a protecting polymer as taught by Franklin et al. to the retardation layer of Nishiguchi in view of Moseley et al. to prevent accidental damage to the layer.

#### *Response to Arguments*

5. Applicant's arguments filed 6 September 2007 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a separate element different from the substrates of the display panel) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant further argues that Nishiguchi lacks a teaching of "forming first and second polarizing cell areas in the retardation layer corresponding to the first and second pixels over the display panel by a single light irradiation through a mask" because Nishiguchi shows a two-irradiation process not a single irradiation process. The examiner respectfully disagrees because

the claimed language of "a single light irradiation" can be interpreted two ways. The first, as applicant has pointed out, is a temporal situation with a single irradiation step. However, "a single light irradiation" can also be interpreted as a quantitative situation (as the examiner has done) in which there is only one light wavelength (i.e., a single light) that irradiates the retardation layer. Nishiguchi meets this quantitative situation in figs. 6A-6C and column 22, lines 15-50 as detailed in the rejection above.

### *Conclusion*

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Fineman whose telephone number is (571) 272-2313. The examiner can normally be reached on Monday - Friday 7:30 - 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LAF

8 November 2007



ARNEL LAVARIAS  
PRIMARY PATENT EXAMINER